

Attorney's Docket No.: 14580-031001 /FP1936

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested. As an initial matter, Applicants gratefully acknowledge Examiner's allowance of Claims 1, 7 and 8. To obviate the rejections to Claims 6, 9 and 10, Applicants cancel Claims 6, 9 and 10 to place the application in a condition for allowance. Claims 1, 3-5, 7 and 8 remain pending.

Claim 1 is now amended to replace the term "a conductive material" into "a third material." This amendment is made to clarify the language and is not made to overcome any rejection raised by the Patent Office. No new matter is added.

Claim 1 as originally filed recites "a layer of a conductive material in contact with each of the side surfaces." This is fully supported by the original specification, e.g., line 7, page 5 through line 14, page 6. As a specific example, Ti is one implementation of the recited conductive material. The Ti layer, which is deposited during the fabrication process, becomes oxidized and is turned into TiO_2 which may be insulating (see the specification, particularly page 6 line 16 to page 7 line 2). Hence, Claim 1 is now amended to use a term "a third material" in lieu of "a conductive material" to avoid any confusion.

Applicants respectfully submit that the amended Claim 1 remains distinctly patentable over the cited prior art on record and thus is allowable.

Claim 3 is also amended to correct a typographical error by replacing the term "the second material" with "the third material" based on the new amendment to Claim 1. No new matter is added and amended Claim 3 is patentable over the cited prior art on record.

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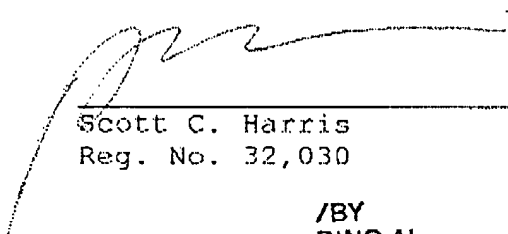
The above amendments to Claims 1 and 3 are believed to be sufficient to obviate the objection to Claim 3. Hence, the objections to Claims 3, 4 and 5 should be withdrawn.

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicants ask that Claims 1, 3-5, 7 and 8 be allowed. No fee is believed to be due for this filing. Please apply any applicable charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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